

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML Law Group, P.C.
216 Haddon Avenue, Suite 406
Westmont, NJ 08108
Main Phone: 609-250-0700
dcarlon@kmlawgroup.com
Attorneys for Secured Creditor
BANK OF AMERICA, N.A.

In Re:
Jeffrey A. Brenner, Shari S. Brenner,

Debtors.



Order Filed on January 28, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 18-16546- RG

Adv. No.:

Hearing Date: 12/5/18 @ 10:00 a.m..

Judge: Rosemary Gambardella

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: January 28, 2019

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Jeffrey A. Brenner, Shari S. Brenner

Case No: 18-16546- RG

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, BANK OF AMERICA, N.A., Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 124 West 10th Street, Bayonne, NJ, 07002, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Justin M. Gillman, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 15, 2019, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due May 2018 through January 2019 for a total post-petition default of \$19,692.54 (9 @ \$2,188.06); and

It is further **ORDERED, ADJUDGED and DECREED** that a payment in the amount of \$2,188.06 is to be paid by January 31, 2019; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$17,504.48 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor is to obtain a loan modification by the deadline in the loss mitigation order; and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor is to make payments per the terms of the loss mitigation order; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to any pre- or post-petition arrears that have or may accrue; and

It is further **ORDERED, ADJUDGED and DECREED** that if the loan modification is unsuccessful, Debtor shall modify the plan to otherwise address the pre- and post-petition arrears; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee shall not make disbursements on Secured Creditor's claim while the loan modification is pending; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume February 1, 2019, directly to Secured Creditor's servicer, Bank of America, N.A., P.O. Box 660933, Dallas, TX 75266-0933 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

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Debtor: Jeffrey A. Brenner, Shari S. Brenner

Case No: 18-16546- RG

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It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Jeffrey A Brenner
Shari S Brenner
Debtors

Case No. 18-16546-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jan 29, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 31, 2019.
db/jdb +Jeffrey A Brenner, Shari S Brenner, 124 West Tenth Street, Bayonne, NJ 07002-1359

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 31, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 29, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
John R. Morton, Jr. on behalf of Creditor CAB East LLC, serviced by Ford Motor Credit Company LLC ecfmail@mortoncraig.com, mortoncraigecef@gmail.com
Justin M Gillman on behalf of Debtor Jeffrey A Brenner abgillman@optonline.net, r47252@notify.bestcase.com
Justin M Gillman on behalf of Joint Debtor Shari S Brenner abgillman@optonline.net, r47252@notify.bestcase.com
Marie-Ann Greenberg magecf@magtrustee.com
Rebecca Ann Solarz on behalf of Creditor BANK OF AMERICA, N.A. rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7